

IN RE: PETITION FOR ZONING VARIANCE
SW/Corner Hounds Hollow Court
and Hunting Tweed Drive
(1 Hounds Hollow Court)
4th Election District
3rd Councilmanic District
Arthur Murray Brown, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-127-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 26 feet in lieu of the required 50 feet for a proposed garage addition in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. Gary A. Berger appeared and testified as a Protestant.

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. The testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for the variance. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of October, 1988 that the Petition for Zoning Variance to permit a side yard setback of 26 feet in lieu of the required 50

feet for a proposed garage addition in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

ORDER RECEIVED FOR FILING
Date 10/28/88
By [Signature]

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-127-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.3. to permit a sideyard setback of 26' in lieu of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Strict compliance with the request would unreasonably prevent the use of the property for a permitted purpose and/or render compliance unnecessarily burdensome.
2. The grant would substantial injustice to applicant as well as other property owners in district and a lesser relaxation that that applied for would give substantial relief.
3. Relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

DATE RECEIVED	ACCOUNT NO.	NO.
10/28/88	01-415	50236
RECEIVED	AMOUNT \$	
10/28/88	35.00	
FOR BALTIMORE COUNTY, MARYLAND		
OFFICE OF FINANCE REVENUE DIVISION		
MISCELLANEOUS CASH RECEIPT		
DATE RECEIVED	ACCOUNT NO.	NO.
10/28/88	01-415	50236
RECEIVED	AMOUNT \$	
10/28/88	35.00	
FOR BALTIMORE COUNTY, MARYLAND		
OFFICE OF FINANCE REVENUE DIVISION		
MISCELLANEOUS CASH RECEIPT		

Legal Owner(s):
Arthur Murray Brown
(Type or Print Name)
Signature [Signature]

Sarajane Hyman Brown
(Type or Print Name)
Signature [Signature]

1 Hounds Hollow Ct. 21117
Address
Phone No.
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Signature [Signature]
Name

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of August, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of October, 1988, at 9 o'clock P.M.

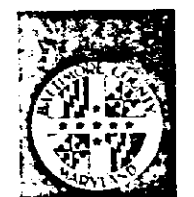
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING (1/2 HR.) + 1 HR. (over)
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER - DATE 8/2/88
REVIEWED BY: [Signature] DATE 8/2/88

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

October 28, 1988



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Arthur Murray Brown
1 Hounds Hollow Court
Owings Mills, Maryland 21117

RE: PETITION FOR ZONING VARIANCE
SW/Corner of Hounds Hollow Court and Hunting Tweed Drive
(1 Hounds Hollow Court)
4th Election District - 3rd Councilmanic District
Arthur Murray Brown, et ux - Petitioners
Case No. 89-127-A

Dear Mr. & Mrs. Brown:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

JRH:bjs

cc: Mr. Gary A. Berger
3 Hounds Hollow Court
Owings Mills, Maryland 21117

People's Counsel
File

ZONING DESCRIPTION

Beginning on the southwest side of Hounds Hollow Court 150 feet wide at the distance of 355 feet south of the centerline of Hounds Hollow Court following Hunting Tweed Road being, District 4, subdivision Valley Hills Lot 123 Section 2 zoned RC 5.

Arthur M. Brown
1 Hounds Hollow Court
Owings Mills, Maryland 21117

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4th
Posted for: Variance
Petitioner: Arthur Murray Brown, et ux
Location of property: SW Corner Hounds Hollow Court and Hunting Tweed Drive, 1 Hounds Hollow Court
Location of Sign: In front of 1 Hounds Hollow Court
Remarks: [Blank]
Posted by: [Signature]
Date of return: September 22, 1988
Number of Signs: 1

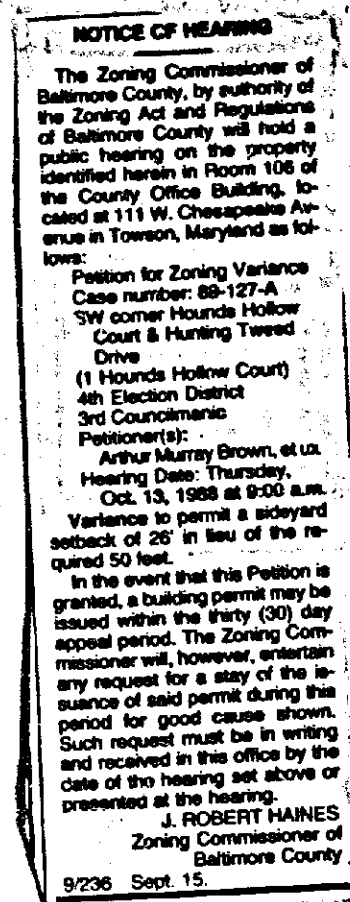
CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept 19, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each of successive weeks, the first publication appearing on Sept 15, 1988.

\$ 35.63
P# 04807
Rec# 118889

THE JEFFERSONIAN,

S. Zeke Olson
Publisher



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-127-A
SW corner Hounds Hollow Court and Hunting Tweed Drive
(1 Hounds Hollow Court)
4th Election District - 3rd Councilmanic
Petitioner(s): Arthur Murray Brown, et ux
HEARING SCHEDULED: TUESDAY, OCTOBER 13, 1988 at 9:00 a.m.

Variance to permit a sideyard setback of 26' in lieu of the required 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. & Mrs. Brown
[Signature]

89-127-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 17th day of August, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner Arthur M. Brown, et ux
Petitioner's Attorney

Received by: James E. Dean
Chairman, Zoning Plans
Advisory Committee

